IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

WP(C).No. 20089 of 2006(N)

PETITIONER:

M.T.RAPHEL, AGED 70, S/O. THOMAS,
MANIYANCHERRY HOUSE, AYATHUPADY,
KOOVAPADY, KUNNATHUNAD TALUK.

BY ADV. SRI.RAJESH VIJAYAN.

RESPONDENTS:
----

1. **THE REVENUE DIVISIONAL OFFICER,**
   MUVATTUPUZHA.

2. **THE TAHSILDAR,**
   KUNNATHUNAD TALUK, TALUK OFFICE,
   PERUMBAVOOR.

3. **UNION BANK OF INDIA,**
   KOOVAPADY BRANCH, REPRESENTED BY ITS MANAGER.

4. **P.V.VENUGOPAL, S/O. VIJAYAN NAIR,**
   PAYYANATR HOUSE, AIYMURI, KOOVAPPADY VILLAGE,
   KUNNATHUNAD TALUK.

BY ADV. SRI.A.S.P.KURUP, SC, FOR R3,
SRI.K.BABU THOMAS FOR R4,
GOVT. PLEADER SMT. M.K. PUSHPALATHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.20089/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER DTD. 17/07/2006 ISSUED BY THE R.1.

RESPONDENT'S EXHIBIT:

EXT.R3.A: COPY OF THE NOTICE DTD. 09/05/2001 ISSUED TO THE PETITIONER BY THE R.3.

//TRUE COPY//

prv.

P.R.RAMAN,J.

W.P.(C).NO.20089 OF 2006

Dated this the 9th day of January, 2007

O R D E R

This is a matter where the property has been sold in public auction and purchased by the 4th respondent. Interim stay of further proceedings has been granted. Now the Bank has filed counter affidavit and additional counter affidavit. As per the additional counter affidavit, after giving one time settlement benefit in the matter of interest and the balance outstanding due payable to the bank is Rs.54,545/-, which is the amount due to the Bank after giving one time settlement benefit. The learned counsel for the petitioner seeks for instalment facility to repay the amount. Being a one time settlement scheme, such instalment facility cannot be extended.

However, the petitioner is enabled to pay the amount of Rs.54,545/- within two months. Interim stay will continue.

P.R.RAMAN,
Judge.

kcv.